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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IN RE BIOVIE INC. SECURITIES
LITIGATION.

Case No. 3:24-cv-00035-LRH-CSD

**STIPULATION AND ORDER FOR FILING
AMENDED COMPLAINT AND RESPONSE**

Pursuant to Civil Local Rule 7-1, Lead Plaintiff Dr. Anthony Rinaldi (“Lead Plaintiff”) and Defendants Biovie, Inc., Cuong Do, Joanne Wendy Kim, and Joseph Palumbo (collectively, “Defendants” and together with Lead Plaintiff, the “Parties”), by and through their undersigned counsel of record, submit the following stipulation and proposed scheduling order:

WHEREAS, on January 19, 2024, Plaintiff Eric Olmstead filed a putative class action complaint against Defendants for alleged violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 and Rule 10b-5 promulgated thereunder (*see* ECF No. 1);

WHEREAS, on February 22, 2024, Plaintiff Matthew Way filed a putative class action complaint against Defendants for alleged violations of Sections 10(b) and 20(a) of the Securities

1 Exchange Act of 1934 and Rule 10b-5 promulgated thereunder (*see* Case No. 3:24-cv-00361, ECF
2 No. 1);

3 WHEREAS, on April 15, 2024, the Court consolidated the *Olmstead* and *Way* actions and
4 appointed Dr. Anthony Rinaldi as the Lead Plaintiff, Levi & Korsinsky, LLP as the Lead Counsel,
5 and the Aldrich Law Firm, Ltd. as the Liaison Counsel (*see* ECF No. 30);

6 WHEREAS, Lead Plaintiff intends to amend the complaint;

7 WHEREAS, the Parties have met and conferred and have agreed to the schedule set forth
8 below for the filing of Lead Plaintiff's consolidated complaint and briefing of Defendants' response
9 thereto;

10 WHEREAS, this is the first stipulation for any extension of time to amend the complaint
11 and/or file a response thereto;

12 IT IS HEREBY STIPULATED AND AGREED THAT, subject to the Court's approval,
13 as follows:

14 1. Lead Plaintiff shall file a consolidated complaint on June 21, 2024;

15 2. Defendants shall answer, move against, or otherwise respond to the consolidated
16 complaint on August 21, 2024;

17 3. In the event that Defendants move to dismiss the consolidated complaint, Lead
18 Plaintiff's opposition to Defendants' motion to dismiss shall be filed on October 21, 2024; and

19 4. Defendants' reply in support of its motion to dismiss shall be filed on or before
20 December 5, 2024.

21 5. Nothing in this stipulation shall be deemed to constitute a waiver of any rights,
22 objections, or defenses that any Party may have with respect to this action or to the claims asserted
23 in any complaint in this action, and it is without prejudice to any other or further application by
24 any Party to this Court or any other court.

1 Dated: May 6, 2024

Respectfully submitted,

2 **ALDRICH LAW FIRM, LTD.**

3 /s/ John P. Aldrich

4 John P. Aldrich, Esq.

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1 Dated: May 6, 2024

SNELL & WILMER LLP

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15 *Counsel for Defendants Biovie, Inc., Cuong Do,*
16 *Joanne Wendy Kim, and Joseph Palumbo*

17 IT IS SO ORDERED:

18 

19 UNITED STATES MAGISTRATE JUDGE

20 DATED: May 7, 2024